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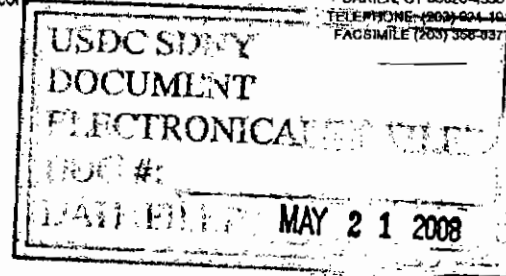
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May 21, 2008

OUR REF: 175-08/TMC

BY HAND

The Hon. Laura T. Swain
United States District Judge
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street, Room 755
New York, NY 10007

MEMORANDUM ENDORSED

The ECF system provides notice of the entry of this Order to each party that has both entered an appearance in this case and registered with ECF. The ECF-registered attorneys are responsible for providing notice to any co-counsel whose e-mail addresses are not reflected on the ECF docket for this case, and Plaintiff's counsel, upon receiving notice of this Order, is hereby ordered to fax or otherwise deliver promptly a copy to all parties who are not represented by ECF-registered counsel. A certificate of such further service shall be filed within 5 days from the date hereof. Counsel who have not registered for ECF are ordered to register immediately as filing users in accordance with the Procedures for Electronic Case Filing.

Re: Robert Silvia, Jr. v. K-Sea Transportation
08 CV 2521 (LTS)

Dear Judge Swain:

We represent the Defendant in the captioned Jones Act matter and enclose a stipulation extending Defendant's time to answer, move or otherwise appear until July 31, 2008.

Mr. Silvia claims to have injured his arm on a K-Sea vessel in April 2005. He returned to work and signed a Partial Release and Claims Arbitration Agreement in August 2005. Mr. Silvia claims to have injured and/or reinjured the same arm after he returned to work.

K-Sea's position is that Mr. Silvia's claims for both injuries are covered by the arbitration agreement and should be arbitrated. We understand that Plaintiff will challenge both the validity of the arbitration agreement and its application to Mr. Silvia's second injury.

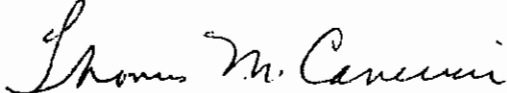
The parties have agreed to explore settlement before engaging in motion practice over the enforceability of the Claims Arbitration Agreement. As such, we enclose a Stipulation extending the time to answer, move or otherwise appear until July 31, 2008. The parties also request that the initial conference, scheduled for June 20, 2008, be adjourned to a date and time convenient to the Court after July 31, 2008.

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We thank the Court for its courtesy and attention to this matter.

Respectfully submitted,
FREEHILL HOGAN & MAHAR LLP

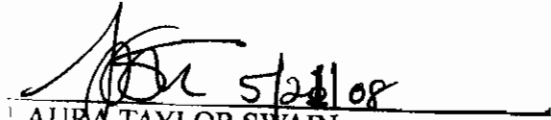

Thomas M. Canevari

c: Dennis M. O'Bryan, Esq.
O'Bryan Baun Cohen Kuebler
401 S. Old Woodward, Suite 320
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Via Fax: 248-258-6047

The initial pretrial conference is
adjourned to August 22, 2008
at 10:45 AM.

Roberta E. Ashkin
580 Broadway, Suite 906
New York, NY 10012
Via Fax: 212-965-1301

SO ORDERED.


LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE